

Appl. No. : 09/683,600  
Filed : January 24, 2002

## REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claim 17 and 20 stand rejected under 35 USC 112 as allegedly being indefinite. The examiner is thanked for pointing out these instances of indefiniteness, and these have been corrected herein.

Claims 13, 17-19, 24 and 26-30 stand rejected under 35 USC 102 as allegedly being anticipated by Kahn. In order to emphasize the patentable distinctions over the Kahn reference, each of the independent claims have been amended.

Specifically, Kahn shows a system in which transcription of a can be operated as a service. Users such as 5 and 6 can input data on a digital audio recording station such as 12. After the data has been recorded, an audio file can be recorded, converted to text, and the text returned to the user. Note for example the file system, that shows the audio file recorded as a wav (for example, 6723.wav) being compared and returned. As explained, for example, column 10, line 52,

"automatic conversion of the digital audio file recorded by the current user may commence, step 603. When completed, the written file is transmitted to the user based on the information contained in the user profile...." (emphasis added)

Note that this, like all the other systems that have been cited in the prior art, uses a very different mode than the present system. In the prior art like Kahn, a complete file

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is recorded, then the complete file is sent, then the complete file is recognized, and the the results of that complete file being recognized are returned.

Compare this to the present system, which is intended to offload semi real time voice recognition to another computer that has more recognition capability. As amended, the claims require that the offloaded recognition returns results in "real time of a type which has only delays based on communication time and computing time". For example, the example given in the specification describes recording data on a phone or a PDA, sending that to another computer, and returning recognition information in "semi-real time... only extra delays... are those attributable to the digitization and Bluetooth communication, which may be minimal".

This allows offloading things like commands to the external computer, since the recognition results are returned quickly – in semi-real time.

In order to emphasize this difference over the prior art, each of the claims have been amended to recite that the operation occurs in real-time "with only delays based on communication time and computing time". This obviates the rejection based on Kahn, who intends to record an entire wave file, send that wave file, and then receives back the results of that wave file. In contrast, the present system as claim defines a real-time device which sends data in real time and receives it in "real time of a type which has only delays based on communication time and computing time ". This kind of real time operation is not shown by the prior art, and hence the present claims should be allowable thereover.

This obviates the rejection based on section 102. However, it should be understood that this produces a real advantage over the systems of the prior art. This

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system produces a system where the client can use voice recognition even if that client does not include sufficient processing capability or power to do voice recognition. The present system gets the voice recognition results right away – “real time of a type which has only delays based on communication time and computing time”. This allows the use of a voice recognition system in a client that for whatever reason is not itself capable of handling such a voice recognition system.

Nothing like this is disclosed in the prior art. Kahn certainly never suggested this; Kahn rather suggested that files are recorded, stored after the recording, and when completed, the entire file is returned.

Therefore, each of the claims should be allowable for these reasons.

Claim 14 defines the device included within a portable phone. Claim 14 (and 21) were rejected over Kahn in view of Zellner. This contention is respectfully traversed. While Zellner does teach generating digital audio files such as wavs, it does not teach anything about real-time recognition, as now claimed.

Claims 15 stand rejected over Kahn in view of Enns. However, Kahn in view of Enns makes exactly applicant's point. Enns teaches that a PDA can be used to store a digital audio file that is transmitted as an e-mail. This in fact teaches away from the kind of real time recognition that is claimed herein – rather teaching that a whole file should be created; then emailed, then recognized, then all the results returned. Therefore, it is respectfully suggested that the hypothetical combination of Kahn in view of Enns is exactly the opposite of the “real time of a type which has only delays based on communication time and computing time” as claimed.

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Claims 20, 22, 23 and 25 stand rejected over Kahn in view of Beout. Beout does show Bluetooth being used for short-range RF operations. However, there is no discussion or suggestion of using Bluetooth for voice recognition, and certainly no teaching of returning voice recognition results in "real time of a type which has only delays based on communication time and computing time". Moreover, this prior art is inconsistent with the prior art art such as Kahn that describes sending over the internet to a remotely-located server. In contrast, the Bluetooth claims inherently require the voice-recognizing computer to be local, since Bluetooth is a short range protocol.

Therefore, summarize the above, the remote recognition, in "real time of a type which has only delays based on communication time and computing time" is not disclosed or otherwise made obvious by the cited prior art, and produces unexpected advantages thereover.

All of the claims should be allowable for these reasons.

For all of these reasons, it is respectfully suggested that all of the claims should be in condition for allowance. A formal notice of allowance is hence respectfully requested.

If the Examiner believes that communications such as a telephone interview or email would facilitate disposal of this case, the undersigned respectfully encourages the Examiner to contact the undersigned.

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail (using the email address scott@harrises.com). I understand that a copy of these communications will be made of record in the application file.

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Respectfully submitted,

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